

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

C/M

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EDWARD SEABROOK,	:	
	:	
Plaintiff,	:	<u>ORDER</u>
	:	13 Civ. 3191 (BMC)
- against -	:	
	:	
THE CITY UNIVERSITY OF NEW YORK –	:	
YORK COLLEGE,	:	
	:	
Defendant.	:	
-----	X	

The Court dismissed plaintiff's original complaint for failure to state a claim upon which relief may be granted and granted plaintiff 20 days leave to amend his complaint. Plaintiff timely filed an amended complaint. However, the amended complaint also fails to state a claim for Title VII discrimination. Plaintiff's only allegation in his original complaint regarding race or national based discrimination was that a Caribbean person was given full-time work and he was not. The Court specifically directed plaintiff to provide detailed facts regarding how and when he was discriminated against, by whom, and under what circumstances. The Court also directed plaintiff to include facts related to his alleged termination, any conversations he had with his supervisor, and other related facts.

The only additional allegation plaintiff makes in his amended complaint is that two Caribbean supervisors, who also happened to be related, shared an "unusually close relationship," and that they seemed to "coordinate their attacks and harassment toward" plaintiff. The remainder of his amended complaint, as did his original complaint, raises allegations pertaining to either his burdensome working conditions or his altercations with another employee and his employer's alleged failure to resolve those altercations.

Plaintiff has thus failed to state a claim for Title VII discrimination. Accordingly, the action is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 82 S. Ct. 917 (1962).

SO ORDERED.

Dated: Brooklyn, New York
July 16, 2013

Digitally signed by  Brian M. Cogan

U.S.D.J.